

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 17587

PERMIT 13936

LICENSE \_\_\_\_\_

**ORDER APPROVING A NEW DEVELOPMENT SCHEDULE**

**WHEREAS:**

1. Permit 13936 was issued to Millview County Water District on March 26, 1963, pursuant to Application 17587.
2. A petition for an extension of time has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for said extension of time.

**NOW, THEREFORE, IT IS ORDERED THAT:**

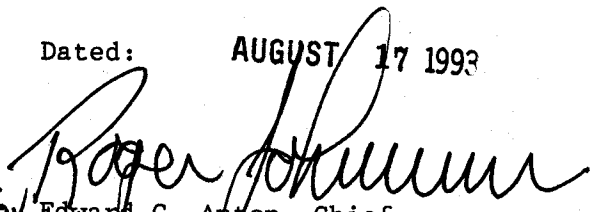
1. Condition 3 of the permit be amended to read:

COMPLETE APPLICATION OF THE  
WATER TO THE PROPOSED USE  
SHALL BE MADE ON OR BEFORE

December 31, 2003

(0000009)

Dated: **AUGUST 17 1993**

*for*   
Edward C. Anton, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 17587

PERMIT 13936

LICENSE \_\_\_\_\_

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE PERMIT

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
2. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 3 of the permit is amended to read as follows:

COMPLETE APPLICATION OF THE  
WATER TO THE PROPOSED USE  
SHALL BE MADE ON OR BEFORE

December 1, 1991 (0000009)

2. Paragraph 5 of this permit is deleted. A new paragraph 5 is added as follows:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)


3. Paragraph 9 is added to this permit as follows:

Permittee shall consult with the Division of Water Rights and develop and implement a water conservation plan or actions. The proposed plan or actions shall be presented to the State Water Resources Control Board for approval within one year from the date of this permit or such further time as may, for good cause shown, be allowed by the Board. A progress report on the development of a water conservation program may be required by the Board at any time within this period.

All cost-effective measures identified in the water conservation program shall be implemented in accordance with the schedule for implementation found therein.

(0000029)

Dated: JULY 1 1986

  
Lloyd Johnson, Interim Chief  
Division of Water Rights

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 17587

PERMIT 13936

LICENSE \_\_\_\_\_

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE, AMENDING PERMIT,  
CORRECTING DESCRIPTION OF POINT OF DIVERSION AND  
ADDING A NEW POINT OF DIVERSION, AND CHANGING  
THE PLACE OF USE

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use, and a petition to add a new point of diversion and change the place of use, have been filed with the State Water Resources Control Board.
2. The Board finds that permittee has proceeded with diligence and that good cause has been shown for extension of time, addition of a new point of diversion and change in the place of use.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1985. (0000008)  
APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED (0000009)  
ON OR BEFORE DECEMBER 1, 1985.

2. The total annual diversion and use allowed under said permit be limited to 1,440 acre-feet.
3. Permission is hereby granted to correct the description of the existing point of diversion so that it read as follows:

(1) Russian River Underflow:

SOUTH 83° 58' 43" WEST 3432 FEET FROM THE SE CORNER OF  
PROJECTED SECTION 33, T16N, R12W, MDB&M BEING WITHIN  
THE SE¼ OF NE¼ OF PROJECTED SECTION 5, T15N, R12W, MDB&M.

4. Permission is hereby granted to add a new point of diversion under Permit 13936, described as follows:

(1) Russian River Underflow:

SOUTH 60° 45' WEST 3588 FEET FROM THE SE CORNER OF PROJECTED  
SECTION 33, T16N, R12W, MDB&M BEING WITHIN THE NE¼ OF SE¼  
OF PROJECTED SECTION 5, T15N, R12W, MDB&M.

5. Permission is hereby granted to change the place of use to that area described as follows:

"Within the boundaries of the Millview County Water District being within surveyed, fractional or projected Sections 28, 29, 30, 31, 32, 33, 34, T16N, R12W, MDB&M and within surveyed, fractional, or projected, Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 17 and 18 of T15N, R12W, MDB&M, as shown on map filed with State Water Resources Control Board."

6. Paragraph 5 of Permit 13936 be amended to read as follows:

Pursuant to California Water Code Section 100, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (3) suppressing evaporation losses from water surfaces; (4) controlling phreatophytic growth; and (5) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

(0000012)

7. Paragraph 7 be added to Permit 13936 to read as follows:

The amount authorized for appropriation may be reduced in the license if investigation warrants.

(0000006)

8. Paragraph 8 be added to Permit 13936 to read as follows:

The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

(0000029)

Dated: DECEMBER 26 1978



Clint Whitney, Executive Director  
Water Rights and Administration

[For full information concerning the filling out of this form refer to  
Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

## STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 17587 Filed May 8, 1957 at 8:20 A. M.  
(Applicant must not fill in the above blanks)

## APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

AMENDED APPLICATION RECEIVED 2-29-60

I, Millview County Water District

Name of applicant or applicants

of Route 1, Box 706, N. Highway, Ukiah

Address

County of Mendocino

State of California

, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS*:

## Source, Amount, Use and Location of Diversion Works

~~East Branch and West Branch~~

*see D1110 LH*

1. The source of the proposed appropriation is Russian River underflow

Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Mendocino County, tributary to Pacific Ocean

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use 3 cubic feet per second, to be diverted from about November 1 of each year to about July 1 of the succeeding year

Beginning date

Closing date

(b) For diversion to be stored and later applied to beneficial use \_\_\_\_\_ acre-feet

1 acre-foot equals 325,851 gallons

per annum, to be collected between \_\_\_\_\_ and \_\_\_\_\_ of each season.

Beginning date

Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is Domestic and Municipal

Domestic, irrigation, power, municipal, mining, industrial, recreational

\_\_\_\_\_ purposes.

4. The point of diversion is to be located south 83°58'43" west 3432 feet from SE corner of

State bearing and distance or coordinate distances from section or quarter section corner

Section 33, T16N, R12W, MDB&M,

being within the NE $\frac{1}{4}$  of NE $\frac{1}{4}$

State 40-acre subdivision of public land survey or projection thereof

of Section 5, T. 15N, R. 12W, M. D. B. & M., in the County of Mendocino

See attached map.

5. The main conduit terminates in \_\_\_\_\_ of Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_, B. & M.

State 40-acre subdivision of U. S. Government survey or projection thereof

## Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from Well

Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being \_\_\_\_\_ feet in height (stream bed to

level of overflow); \_\_\_\_\_ feet long on top; and constructed of \_\_\_\_\_

Concrete, earth, brush, etc.

(c) The storage dam will be \_\_\_\_\_ feet in height (stream bed to spillway level); \_\_\_\_\_ feet

long on top; have a freeboard of \_\_\_\_\_ feet, and be constructed of \_\_\_\_\_

Concrete, earth, etc.

7. Storage Reservoir

Name

The storage reservoir will flood lands in \_\_\_\_\_

Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of \_\_\_\_\_ acres, and a capacity of \_\_\_\_\_ acre-feet. If reservoir has a capacity of 25 acre-feet or more fill in the following: Diameter of outlet pipe \_\_\_\_\_ inches; length \_\_\_\_\_ feet; difference in elevation from spillway level to highest point of outlet pipe \_\_\_\_\_ feet; fall in pipe \_\_\_\_\_ feet.

In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

8. Conduit System (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) \_\_\_\_\_ feet; width at bottom \_\_\_\_\_ feet; depth of water \_\_\_\_\_ feet; length \_\_\_\_\_ feet; grade \_\_\_\_\_ feet per 1,000 feet; materials of construction \_\_\_\_\_ Earth, rock, timber, etc.

(b) Pipe line: Diameter \_\_\_\_\_ 10 inches; length \_\_\_\_\_ 2000 feet; grade \_\_\_\_\_ feet per 1,000 feet; total fall \_\_\_\_\_ 30 feet; kind \_\_\_\_\_ Asbestos cement Riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is \_\_\_\_\_ 3 cfs State cubic feet per second or gallons per minute The estimated cost of the diversion works proposed is \_\_\_\_\_ \$50,000 incl. pumps, pipeline and well. Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. Construction work will begin on or before \_\_\_\_\_ July 1960 Construction work will be completed on or before \_\_\_\_\_ November 1960 The water will be completely applied to the proposed use on or before \_\_\_\_\_ July 1970

Description of Proposed Use

11. Place of Use. Millville County Water District Mendocino County, California State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map. See Map

Do(es) applicant(s) own the land whereon use of water will be made? \_\_\_\_\_ No \_\_\_\_\_ Yes or No Jointly? \_\_\_\_\_ Yes or No All joint owners should include their names as applicants and sign application at bottom of third page. Duly Incorporated County Water District, Publicly owned water system If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him. 12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1.				
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary. 13. Irrigation Use. The area to be irrigated is \_\_\_\_\_ acres. State net acreage to be irrigated \_\_\_\_\_ acres; alfalfa \_\_\_\_\_ acres; general crops \_\_\_\_\_ acres; pasture \_\_\_\_\_ acres. NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map. The irrigation season will begin about \_\_\_\_\_ and end about \_\_\_\_\_ Beginning date \_\_\_\_\_ Closing date \_\_\_\_\_ 14. Power Use. The total fall to be utilized is \_\_\_\_\_ feet. Difference between nozzle or draft tube water level and first free water surface above \_\_\_\_\_ cubic feet per second. The maximum amount of water to be used through the penstock is \_\_\_\_\_ The maximum theoretical horsepower capable of being generated by the works is \_\_\_\_\_ Second feet  $\times$  fall  $\div$  8.8 = horsepower. The use to which the power is to be applied is \_\_\_\_\_ For distribution and sale or private use, etc. The nature of the works by means of which power is to be developed is \_\_\_\_\_ Turbine, Pelton wheel, etc. The size of the nozzle to be used is \_\_\_\_\_ inches. The water will not \_\_\_\_\_ be returned to \_\_\_\_\_ Name stream \_\_\_\_\_ in \_\_\_\_\_ State 40-acre subdivision \_\_\_\_\_ of \_\_\_\_\_ Sec. \_\_\_\_\_ T. \_\_\_\_\_ R. \_\_\_\_\_ B. & M. \_\_\_\_\_

DO NOT WRITE IN THIS SPACE  
ATTACH EXTRA SHEETS HERE

15. Municipal Use. This application is made for the purpose of serving Millview County Water District  
Name city or cities, town or towns. Urban areas only  
Mendocino County having a present population of 2000 (estimated)

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

1960 480,000 gallons

1965 1,500,000 gallons

1970 1,900,000 gallons

16. Mining Use. The name of the mining property to be served is \_\_\_\_\_  
Name of claim

\_\_\_\_\_ and the nature of the mines is \_\_\_\_\_  
Gold placer, quartz, etc.

The method of utilizing the water is \_\_\_\_\_

It is estimated that the ultimate water requirement for this project will be \_\_\_\_\_  
Cubic feet per second, gallons per minute. State basis of estimate

The water will be polluted by chemicals or otherwise \_\_\_\_\_  
will not Explain nature of pollution, if any

and it will be returned to \_\_\_\_\_ in \_\_\_\_\_ of  
will not Name stream State 40-acre subdivision

Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_, B. & M.

17. Other Uses. The nature of the use proposed is \_\_\_\_\_  
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. \_\_\_\_\_  
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type

\_\_\_\_\_ industrial use, and unit requirements  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes If not, \_\_\_\_\_  
Yes or No  
state specifically the time required for filing same \_\_\_\_\_

19. Does the applicant own the land at the proposed point of diversion? Yes If not, give name and \_\_\_\_\_  
Yes or No  
address of owner and state what steps have been taken to secure right of access thereto \_\_\_\_\_

20. What is the name of the post office most used by those living near the proposed point of diversion?

Ukiah

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MILLVIEW COUNTY WATER DISTRICT, a County  
Water District

[SIGNATURE OF APPLICANT] /s/ By: John Mayfield, President  
Board of Directors



L. D. Hill

Dated: MAR 26 1963

*A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.*

*Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.*

*Section 1391. Every permit shall include the enumeration of conditions herein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.*

*Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), or for any rights granted or acquired under the public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code), or otherwise, by the State or any city, county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).*

*This permit is issued and permittee takes it subject to the following provisions of the Water Code:*

2. The maximum amount herein stated may be reduced in the license if investigation warrants.
- (0000006)
- ~~1. Actual construction work shall be completed on or before~~  
~~the date be presented with reasonable diligence, and if not so commenced and prosecuted the permit may be revoked.~~  
~~and that~~
- ~~1. Said construction work shall be completed on or before~~
3. Complete application of the water to the proposed use shall be made on or before December 1, 1975. (0000009)
4. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.
5. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.
6. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed 3.0 cubic feet per second to be diverted from about November 1 of each year to about July 1 of the succeeding year.

(0000005)

PERMIT No. 13936

APPLICANT MUST NOT FILL IN BLANKS BELOW